

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GEO GUIDANCE DRILLING
SERVICES, INC.,

Plaintiff,

v.

RENAISSANCE RESOURCES, LLC,

Defendant.

Case No. 1:20-cv-00465-CDB

**ORDER RENEWING REQUIREMENT
FOR PARTIES TO FILE
DISPOSITIONAL DOCUMENTS**

(Docs. 71-73)

SEVEN-DAY DEADLINE

On July 7, 2023, the Court ruled on a motion by Defendant Renaissance Resources, LLC (“Renaissance”) and approved the parties’ proffered good faith settlement pursuant to California Code of Civil Procedure section 877.6. (Docs. 70, 71). Concurrent with the filing of its order, the Court entered the parties’ stipulated judgment. (Doc. 72). The Court ordered the parties to file dispositional documents by no later than July 28, 2023. (*Id.*, citing E.D. Cal. Local Rule 160(b)).

Instead of timely filing documents disposing of this action as directed, on July 28, 2023, Plaintiff Geo Guidance Drilling Services, Inc. (“Geo”) filed a “Statement of Disposition.” (Doc. 73). In its statement, Geo represents that the judgment award has not been satisfied and that Renaissance “intends to pursue third-party action for purposes of attempting to recover an award sufficient to satisfy” the judgment award. (*Id.* ¶ 7).

1 Notwithstanding that the Court specifically retained jurisdiction for a period of time over
2 the judgment and any subsequent enforcement action or actions to enforce the terms of the
3 parties' settlement agreement (Doc. 72), the parties' apparent intention to delay filing a
4 stipulation of dismissal until the judgment award is satisfied does not constitute good cause for an
5 extension under Local Rule 160(b). Since it is clear from the parties' filings and the entry of
6 judgment that the claims raised in this action were settled, the claims are subject to dismissal
7 under Federal Rule of Civil Procedure 41(a)(2). *See Eitel v. McCool*, 782 F.2d 1470, 1472-73
8 (9th Cir. 1986).

9 The Court declines to order dismissal with prejudice at this juncture as it is apparent the
10 parties have worked diligently to reach a negotiated resolution and the Court has retained
11 jurisdiction over the settlement terms for a limited period. Instead, the Court will grant the parties
12 seven additional days to meet and confer prior to filing an appropriate stipulation for dismissal
13 pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

14 **CONCLUSION AND ORDER**

15 Accordingly, IT IS HEREBY ORDERED, the parties shall file a stipulation of dismissal
16 pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) within seven days of entry of this order.

17 IT IS SO ORDERED.

18 Dated: July 31, 2023


19 UNITED STATES MAGISTRATE JUDGE

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